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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 MARLO THOMAS,

10 Petitioner,

2:17-cv-00475-RFB-VCF

11 vs.

**ORDER**

12 TIMOTHY FILSON, *et al.*,

13 Respondents.  
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16 In this capital habeas corpus action, the petitioner, Marlo Thomas, filed an amended habeas  
17 petition on August 1, 2017 (ECF No. 11). The respondents were then due to respond to the amended  
18 petition by October 2, 2017. *See* Order entered July 14, 2017 (ECF No. 9) (60 days for response). On  
19 September 29, 2017, respondents filed a motion for an extension of time (ECF No. 23), requesting a  
20 45-day extension of time, to November 16, 2017.

21 Then, on October 26, 2017, Thomas filed a motion for stay (ECF No. 27), requesting a stay of  
22 this action while he returns to state court to exhaust certain of his claims. Respondents were due to  
23 respond to that motion by November 9, 2017. *See* LR 7-2(b). On November 9, respondents  
24 filed another motion for extension of time (ECF No. 28), this one requesting a 35-day extension of time,  
25 to December 14, 2017, to respond to the motion for stay. This would be the first extension of this  
26 deadline. Respondents' counsel states that the extension of time is necessary because of the complexity

1 of this case and his obligations in other cases. Petitioner does not oppose the motion for extension of  
2 time. The Court finds that respondents' motion for extension of time is made in good faith and not  
3 solely for the purpose of delay, and that there is good cause for the extension of time requested. The  
4 Court will grant this motion for extension of time.

5 In view of the filing of the motion for stay, in the interests of judicial economy, the Court will  
6 also grant respondents' motion for an extension of time to respond to Thomas' amended petition, and  
7 will suspend that response pending the resolution of the motion for stay.

8 **IT IS THEREFORE ORDERED** that respondents' Motion for Enlargement of Time  
9 (ECF No. 23) is **GRANTED**. Respondents' response to petitioner's amended petition will be suspended  
10 pending the resolution of the motion for stay. The Court will set a new due date for respondents'  
11 response to the amended petition, if necessary, after the motion for stay is resolved.

12 **IT IS FURTHER ORDERED** that respondents' Motion for Enlargement of Time (ECF No.  
13 28) is **GRANTED**. Respondents will have until and including **December 14, 2017**, to respond to  
14 petitioner's motion for stay (ECF No. 27).

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16 Dated this 14<sup>th</sup> day of November, 2017.

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20 RICHARD F. BOULWARE, II  
21 UNITED STATES DISTRICT JUDGE  
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